

REMARKS/ARGUMENTS

In light of the above amendments and remarks to follow, entry of this amendment and reconsideration and allowance of this application are respectfully requested.

Claims 1, 4, 6, 10, 17, 23, 26, 29-30, 32-33, 39, 44, 46, 48-49 and 51-52 have been amended. Claims 1-56 are pending in this application.

Claims 1-56 were rejected under 35 U.S.C. § 102(e) as being unpatentable over Keinzle et al. (U.S. Patent No. 6,614,914).

The present claims have been amended to clarify what is the claimed invention, and now recite, in relevant part, that "the content data in the first data recorded on the medium are outputtable at least one of visibly or audibly at a first time only if the second data, which has been reproduced from the medium, are at least one of visibly or audibly output to a user of the recording medium at a second time, wherein the second time precedes the first time." (Independent claims 1 and 6; independent claims 10, 17, 23, 26, 30, 33, 39, 44, 49 and 52 contain similar limitations). As required by claim 1, for example, the second data on the recording medium may contain content concealment data for concealing the content data included in the first data on the recording medium. Advantageously, the present invention provides that the content data may be audibly or visibly output at a first time, only if the second data, which may include advertisement data containing the "content concealment data," are output to a user of the medium at a second time preceding the first time, such that the user must "compulsorily ... look at advertisement data in a

preceding manner" thereby enhancing the "advertisement effect (second data) attached to the contents (first data)." (See specification, for example, pg. 21, 5-7 and 18-21; pg. 25, ln. 2-3 and 12-16; pg. 28, ln. 8-9; pg. 32, ln. 1-5; and pg. 33, ln. 20-21).

The applied portions of Kienzle et al. appear to describe hiding a key K in commercial audio data C and encrypting audio content S using the key K, and then, upon reception of the audio data C and the encrypted content S, decrypting the encrypted audio content S using the key K that has been extracted from the received data C. In addition, Kienzle et al. appears to disclose that the "the client [receiving the audio data C and the encrypted content S] has access to the analog audio" rendered from the received audio data C and the decrypted content S, such that the client, for example, can prevent audible output of the audio data C while providing that the decrypted content S is audibly output. (See Col. 5, ln. 4-5, emphasis added). Nowhere does Kienzel et al. appear to disclose or suggest that content data, which is concealed by content concealment data in second data, may be audibly or visibly output at a first time, only if the second data, which has been reproduced, are at least one of audibly and visibly output to a user at a second time which precedes the first time, as required by the claimed invention.

Accordingly, independent claims 1, 6, 10, 17, 23, 26, 30, 33, 39, 44, 49 and 52 are not anticipated by Kienzle et al.

In addition, claims 2-5, 7-9, 11-16, 18-22, 24-25, 27-29, 31-32, 34-38, 40-43, 45-48, 50-51 and 53-56 4-9, which depend from independent claims 1, 6, 10, 17, 23, 26, 30, 33, 39,

Application No.: 10/089,771

Docket No.: SONYJP 3.3-812

44, 49 or 52, are not anticipated by Kienzle et al. for the same reasons as set forth above for the independent claims, and because of the additional restrictions the dependent claims add.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: July 14, 2009

Respectfully submitted,

By 

Davy E. Zomeraich

Registration No.: 37,267

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant

LD-446\  
1023223\_1.DOC